

Chief Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON BRANDRETH-GIBBS,

Defendant.

No. CR20-14 RSM

ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL DATE
AND DENYING OTHER PENDING
MOTIONS

Based on the parties' stipulated motion to continue the current trial date and extend the pretrial-motions deadline, and for the reasons discussed on the record at the hearing on December 7, 2021, the Court FINDS as follows.

1. The ends of justice served by granting the stipulated continuance outweigh the best interests of the public and Defendant Brandon Brandreth-Gibbs in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2. This continuance is necessary to ensure adequate time for case preparation and for the parties' ongoing discussions of possible resolution. Failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, *id.* § 3161(h)(7)(B)(iv), and would likely result in a miscarriage of justice, *id.* § 3161(h)(7)(B)(i).

3. This case is also so unusual and complex—given the nature of the prosecution and the existence of novel questions of fact concerning possible post-conviction supervision—that it would be unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy
2 Trial Act and currently set for this case. *Id.* § 3161(h)(7)(B)(ii).

3 4. This period of delay is reasonable. *See id.* § 3161(h)(7)(A), (B)(iv).

4 The Court therefore ORDERS that the trial date is continued from January 18,
5 2022, to April 11, 2022. Pretrial motions are due March 3, 2022. The parties will appear
6 for a status conference on January 18, 2022, at 10:00 AM.

7 The Court previously excluded time for speedy-trial purposes through January 18,
8 2022. Dkt. 89 at 2–3. The period of delay from the date of the present order through the
9 new trial date of April 11, 2022, is hereby excluded for speedy-trial purposes under 18
10 U.S.C. § 3161(h)(7)(A) and (B).

11 Finally, as discussed on the record on December 7, 2021, the defense has
12 withdrawn its Motion to Revoke Detention Order (Dkt. 91), and the United States has
13 withdrawn its Motion for Competency Evaluation (Dkt. 93). Both motions are thus
14 DENIED AS MOOT.

15 IT IS SO ORDERED.

16 DATED this 7th day of December 2021.

17
18 

19 RICARDO S. MARTINEZ
20 CHIEF UNITED STATES DISTRICT JUDGE

21
22 Presented by:

23 s/ Michele Shaw
24 MICHELE SHAW
25 Attorney for Brandon Brandreth-Gibbs

s/ Jonas Lerman
JONAS LERMAN
Assistant United States Attorney

26 s/ Gilbert Levy
27 GILBERT LEVY
28 Attorney for Brandon Brandreth-Gibbs